IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1885 OF 2005

Sou. Nirmala Dinkar Randive.. ... Petitioner.

Versus

The Divisional Commissioner,
Pune Division & Ors.... .. ... Respondents.

Mr. Dilip Bodake for the Petitioner.

Mr. D. A. Patil, AGP for Respondent Nos.1 to 4.

Mr. P. A. Pol for Respondent Nos.5 to 13.

CORAM : S. A. BOBDE, J.

DATED : 13TH JUNE, 2005.

P.C.:

This Petition is directed against the order of the Divisional Commissioner, Pune, passed in VPT Appeal No. 30 of 2004 upholding the decision of the Additional Collector, Satara passed in Dispute Application No. 30 of 2004.

2. The Additional Collector, Satara has rejected the challenge to the No Confidence Motion passed against the Petitioner. The No Confidence Motion was passed in a meeting held on 7th December, 2004. The main

reason for rejecting the challenge to the No Confidence Motion has been dealt with by the Additional Collector, who has found that the notice was served on the Petitioner by affixing on the premises; and tThat there is no substance in the Petitioner's contention that two of the members were not eligible to vote since there was no order of disqualification against them. The Additional Collector also found that there is no substance in the Petitioner's contention that a copy of the resolution was not annexed along with the notice. As regards the nonsupply of additional copies, the Additional Collector has found no merit in the contention. He has further held that nonsupply of additional copies does not vitiate the No Confidence Motion. This order has been confirmed by the Divisional Commissioner, Pune. All the contentions on facts and law have been properly dealt with. The impugned order does not suffer from any error of law apparent on its face. The Petitioner has lost the confidence of the House and is not entitled to continue as Sarpanch.

3. In view of the above, there is no merit in this Petition, which is hereby dismissed.

Sd/-

(S. A. BOBDE, J.)